

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 1245WOORD01	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/EP2004/053495	International filing date (day/month/year) 15/12/2004	(Earliest) Priority Date (day/month/year) 16/12/2003
Applicant ALTANA PHARMA AG		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 7 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. Certain claims were found unsearchable (See Box II).

3. Unity of invention is lacking (see Box III).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. _____

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b. none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/EP2004/053495

A. CLASSIFICATION OF SUBJECT MATTER
C07J71/00 A61K9/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
C07J A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ, EMBASE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 482 934 A (CALATAYUD ET. AL.) 9 January 1996 (1996-01-09) cited in the application column 14, line 63 - column 15, line 7; examples 7,8 ----- US 6 392 036 B1 (KARLSSON ET. AL.) 21 May 2002 (2002-05-21) column 3, line 8 - line 32; claims; examples column 5, line 15 - line 28 ----- WO 03/086347 A (CHIESI PHARMACEUTICI S.P.A.) 23 October 2003 (2003-10-23) page 8, line 13 - line 16; claims; examples ----- -/-	1-20
A		1-20
A		1-20

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

16 February 2006

Date of mailing of the international search report

28.03.2006

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Helps, I

INTERNATIONAL SEARCH REPORT

International Application No

PCT/EP2004/053495

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	GORDON DENT: "Ciclesonide" CURRENT OPINION IN INVESTIGATIONAL DRUGS, vol. 3, no. 1, 1 January 2002 (2002-01-01), pages 78-83, XP001179540 the whole document -----	2 1-20
P, X	WO 2004/004739 A (TEIJIN) 15 January 2004 (2004-01-15) claims; examples -----	1-20
X	WO 01/28562 A (TEIJIN) 26 April 2001 (2001-04-26) ----- page 5, line 14; claims; table 2 -----	21-23, 25-27, 29,31, 33,35, 36,39-41
X	WO 02/083113 A (DEY, L.P.) 24 October 2002 (2002-10-24) ----- page 19, line 12 – page 27, line 20; claims; examples -----	21,22, 25-33, 35,36, 38-41
X	DE 101 45 361 A (PARI GMBH) 3 April 2003 (2003-04-03) ----- page 6, line 14 – page 7, line 57; claims; examples -----	21,24, 27, 31-37, 39-41
P, X	US 2004/023935 A1 (BANERJEE ET. AL.) 5 February 2004 (2004-02-05) ----- page 4, paragraph 51 – page 7, paragraph 78; claims	21,22, 25-33, 35-41
P, X	WO 2004/054545 A (CHIESE FARMACEUTICI) 1 July 2004 (2004-07-01) ----- page 15, line 20 – page 19, line 6; claims; examples -----	21,24, 27, 31-36, 39-41

INTERNATIONAL SEARCH REPORT

International application No.
PCT/EP2004/053495

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: **39, 40 (part)**
because they relate to subject matter not required to be searched by this Authority, namely:

Although claims 39 and 40 are directed to a method of treatment of the human/animal body (Article 52(4) EPC), the search has been carried out and based on the alleged effects of the compound/composition.
2. Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

The additional search fees were accompanied by the applicant's protest.

No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-20

Process for preparing sterile suspensions of ciclesonide by use of an autoclave

2. claims: 21-41

Sterile ciclesonide suspensions characterised by presence of non-ionic excipients or by particle size

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2004/053495

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
US 5482934	A 09-01-1996	AT 402930 B AT 176991 A AU 649472 B2 AU 8368691 A BE 1005876 A5 BR 1100860 A3 CA 2050812 A1 CH 683343 A5 DE 4129535 A1 DE 122005000030 I1 ES 2034893 A1 FR 2666585 A1 GB 2247680 A GR 91100353 A HK 1005881 A1 IT 1251376 B JP 3292928 B2 JP 4257599 A LU 88001 A1 NL 9101472 A PT 98897 A	25-09-1997 15-02-1997 26-05-1994 12-03-1992 22-02-1994 31-08-1999 08-03-1992 28-02-1994 12-03-1992 06-10-2005 01-04-1993 13-03-1992 11-03-1992 11-09-1992 29-01-1999 09-05-1995 17-06-2002 11-09-1992 01-06-1992 01-04-1992 31-07-1992
US 6392036	B1 21-05-2002	AT 259642 T AU 744992 B2 AU 1266699 A BR 9814118 A CA 2310222 A1 CN 1285750 A DE 69821796 D1 DE 69821796 T2 DK 1032396 T3 EP 1032396 A1 ES 2214749 T3 HK 1030549 A1 IL 136086 A JP 2001523638 T NO 20002470 A NZ 504273 A PT 1032396 T WO 9925359 A1 ZA 9810217 A	15-03-2004 07-03-2002 07-06-1999 03-10-2000 27-05-1999 28-02-2001 25-03-2004 13-01-2005 24-05-2004 06-09-2000 16-09-2004 03-09-2004 17-05-2005 27-11-2001 05-07-2000 25-10-2002 30-06-2004 27-05-1999 14-05-1999
WO 2003086347	A 23-10-2003	AU 2003227627 A1 BR 0304821 A CA 2481520 A1 CN 1652748 A EP 1494647 A1 HR 20040964 A2 IT MI20020808 A1 MA 27194 A1 US 2005175546 A1	27-10-2003 15-06-2004 23-10-2003 10-08-2005 12-01-2005 28-02-2005 17-10-2003 03-01-2005 11-08-2005
WO 2004004739	A 15-01-2004	AU 2003245043 A1 BR 0312377 A CA 2491724 A1 CN 1665517 A EP 1519734 A1 JP 2005535656 T	23-01-2004 12-04-2005 15-01-2004 07-09-2005 06-04-2005 24-11-2005

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/EP2004/053495

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
WO 0128562	A 26-04-2001	AT 285779 T		15-01-2005
		AU 781895 B2		23-06-2005
		AU 7953100 A		30-04-2001
		BG 106512 A		29-12-2002
		BR 0014878 A		11-06-2002
		CA 2388322 A1		26-04-2001
		CN 1379674 A		13-11-2002
		CZ 20021238 A3		17-07-2002
		DE 60017175 D1		03-02-2005
		DE 60017175 T2		29-12-2005
		EP 1225902 A1		31-07-2002
		ES 2234681 T3		01-07-2005
		HR 20020346 A2		29-02-2004
		HU 0203339 A2		28-02-2003
		JP 2003512329 T		02-04-2003
		MX PA02003974 A		25-09-2003
		NO 20021898 A		22-04-2002
		NZ 518298 A		28-11-2003
		PL 356191 A1		14-06-2004
		PT 1225902 T		31-05-2005
		SK 6922002 A3		10-09-2002
		TR 200200841 T2		22-07-2002
		TW 225788 B		01-01-2005
		US 6767901 B1		27-07-2004
		ZA 200203077 A		17-12-2002
-----	-----	-----	-----	-----
WO 02083113	A 24-10-2002	CA 2444535 A1		24-10-2002
		EP 1385494 A2		04-02-2004
		JP 2005512944 T		12-05-2005
		US 2002183293 A1		05-12-2002
		US 2003055026 A1		20-03-2003
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DE 10145361	A 03-04-2003	NONE		
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US 2004023935	A1 05-02-2004	NONE		
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WO 2004054545	A 01-07-2004	AU 2003294879 A1		09-07-2004
		BR 0316908 A		18-10-2005
		CA 2510263 A1		01-07-2004
		EP 1572153 A1		14-09-2005
		HR 20050546 A2		31-10-2005